

107TH CONGRESS
1ST SESSION

H. R. 187

To enhance the services provided by the Environmental Protection Agency to small communities that are attempting to comply with national, State, and local environmental regulations.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2001

Ms. SLAUGHTER (for herself and Mr. BOEHLERT) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To enhance the services provided by the Environmental Protection Agency to small communities that are attempting to comply with national, State, and local environmental regulations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Communities
5 Assistance Act of 2001”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) small communities are concerned about im-
4 proving the environmental quality of their sur-
5 roundings;

6 (2) many small communities are uncertain of
7 the specific requirements of environmental regula-
8 tions;

9 (3) the involvement of small communities in the
10 development of Federal environmental regulations
11 often occurs late, if at all, in the rulemaking process;

12 (4) small communities are often underrep-
13 resented in processes used to review regulations pro-
14 posed by the Environmental Protection Agency;

15 (5) the limited scientific, technical, and profes-
16 sional capacity of many small communities makes
17 understanding regulatory requirements very difficult;

18 (6) specific provisions in certain environmental
19 laws pose compliance problems for small commu-
20 nities; and

21 (7) the Small Town Environmental Planning
22 Task Force, established by section 109 of the Fed-
23 eral Facility Compliance Act of 1992 (42 U.S.C.
24 6908) to examine the relationship between the Envi-
25 ronmental Protection Agency and small commu-
26 nities, recommends additional efforts to improve the

1 services offered by the Environmental Protection
2 Agency to small communities.

3 **SEC. 3. PURPOSE.**

4 The purpose of this Act is to foster a healthy environ-
5 ment in which people in small communities may enjoy a
6 sustainable and continually improving quality of life.

7 **SEC. 4. DEFINITIONS.**

8 In this Act:

9 (1) ADMINISTRATOR.—The term “Adminis-
10 trator” means the Administrator of the Environ-
11 mental Protection Agency.

12 (2) ADVISORY COMMITTEE.—The term “advi-
13 sory committee” means the small community advi-
14 sory committee established under section 5.

15 (3) AGENCY.—The term “Agency” means the
16 Environmental Protection Agency.

17 (4) SMALL COMMUNITY.—The term “small
18 community” means any county, parish, borough, or
19 incorporated or unincorporated municipality, that
20 has a population of fewer than 7,500 persons.

21 **SEC. 5. SMALL COMMUNITY ADVISORY COMMITTEE.**

22 (a) ESTABLISHMENT.—The Administrator shall es-
23 tablish a small community advisory committee or reconsti-
24 tute an existing small community advisory committee.

1 (b) MEMBERSHIP.—The advisory committee shall be
2 composed of representatives of—

3 (1) small communities and unincorporated
4 areas of the United States, including at least 1 small
5 community member from each of the 10 Agency re-
6 gions;

7 (2) Federal and State governmental agencies;
8 and

9 (3) public interest groups.

10 (c) DUTIES.—The advisory committee shall—

11 (1) identify means to improve the working rela-
12 tionship between the Agency and small communities;

13 (2) serve as a mechanism for involving small
14 communities as early as practicable in the process of
15 developing environmental regulations, guidance, and
16 policies;

17 (3) provide periodic reports to Congress on the
18 Agency's success in meeting the needs of small com-
19 munities; and

20 (4) provide such other assistance to the Admin-
21 istrator as the Administrator considers appropriate.

22 **SEC. 6. REGULATORY REVIEW PLAN.**

23 The Administrator shall develop and implement a
24 plan to increase the involvement of small communities in
25 the regulatory review processes conducted under chapter

1 6 of title 5, United States Code (commonly known as the
2 “Regulatory Flexibility Act of 1980”), the Small Business
3 Regulatory Enforcement Fairness Act of 1996 (Public
4 Law 104–121; 5 U.S.C. 601 note), and title II of the Un-
5 funded Mandates Reform Act of 1995 (2 U.S.C. 1531 et
6 seq.).

7 **SEC. 7. REGIONAL OUTREACH TO SMALL COMMUNITIES.**

8 (a) SMALL TOWN OMBUDSMAN OFFICE.—

9 (1) ESTABLISHMENT.—To complement work on
10 small communities at Agency headquarters, each re-
11 gional office of the Agency shall establish and staff
12 a Small Town Ombudsman Office.

13 (2) DUTIES.—The primary responsibility of
14 each regional Small Town Ombudsman Office shall
15 be to serve as—

16 (A) an advocate for small communities;
17 and

18 (B) a facilitator for addressing small com-
19 munity concerns and programs.

20 (3) RESOURCES.—Using funds that are other-
21 wise available to the Agency, the Administrator shall
22 provide the regional Small Town Ombudsman Of-
23 fices with such human and capital resources as are
24 sufficient for the offices to carry out their functions
25 in a timely and efficient manner.

1 (b) CONSULTATION PROCESS.—Each regional Small
2 Town Ombudsman Office shall establish a regular, on-
3 going consultation process with small communities in the
4 region, such as by use of a focus group, stake holder net-
5 work, or advisory board, to—

6 (1) serve as a mechanism for involving small
7 communities in the process of implementing, cre-
8 ating, and informing the public about environmental
9 regulations, guidance, and policies; and

10 (2) provide such other assistance as the re-
11 gional office considers appropriate.

12 **SEC. 8. SURVEY OF SMALL COMMUNITIES.**

13 (a) IN GENERAL.—Every 5 years, each regional
14 Small Town Ombudsman Office shall—

15 (1) conduct a survey of small communities; and

16 (2) publish the results of the survey.

17 (b) PURPOSE.—The purpose of the survey shall be
18 to provide information to the Agency and others for use
19 in regulatory planning, development, and outreach.

20 (c) INFORMATION.—The survey shall collect informa-
21 tion on—

22 (1) information sources used by small commu-
23 nities to learn of and implement environmental regu-
24 lations;

1 (2) the presence of facilities and activities af-
2 fecting environmental quality in small communities;

3 (3) the financial instruments used by small
4 communities to fund the costs of environmentally re-
5 lated services;

6 (4) persons in small communities that may be
7 contacted for information on environmental compli-
8 ance;

9 (5) specific topic areas of regulation particu-
10 larly relevant to small communities;

11 (6) innovative examples of how small commu-
12 nities have complied with national, State, and local
13 environmental regulations in order to protect envi-
14 ronmental and public health; and

15 (7) any other topic that the Administrator con-
16 siders appropriate.

17 **SEC. 9. GUIDE FOR SMALL COMMUNITIES.**

18 (a) IN GENERAL.—Not later than 6 months after the
19 date of enactment of this Act, the Administrator shall
20 produce and distribute to small communities a guide to
21 Federal environmental requirements for small commu-
22 nities.

23 (b) CONTENTS.—The guide shall—

24 (1) describe all mandated environmental re-
25 quirements applicable to small communities; and

1 (2) provide Federal, regional, and State con-
2 tacts for all such environmental requirements.

3 (c) UPDATING.—Not less frequently than annually,
4 the Administrator shall—

5 (1) review and update any parts of the guide
6 that pertain to requirements that have changed; and

7 (2) distribute guide amendments to small com-
8 munities.

9 **SEC. 10. FEEDBACK PLAN.**

10 The Administrator shall develop and implement a
11 plan for periodically obtaining feedback from small com-
12 munities on the effectiveness of the Agency in—

13 (1) involving small communities in regulatory
14 development and implementation; and

15 (2) reaching out to small communities to pro-
16 vide educational and other assistance.

17 **SEC. 11. NO IMPOSITION OF COSTS ON SMALL COMMU-**
18 **NITIES.**

19 The Administrator shall not impose on any small
20 community any cost incurred in carrying out this Act.

21 **SEC. 12. REPORT.**

22 Not later than the date that is 2 years after the date
23 of enactment of this Act, the Administrator shall submit
24 to Congress a report describing the regulatory review plan
25 developed under section 6, the feedback plan developed

1 under section 10, and other activities conducted in car-
2 rying out this Act.

3 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated to carry out
5 this Act \$5,000,000.

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